

*Andre R. Johnson v. The Kroger Co.  
State Court of Fulton County, State of Georgia  
Civil Action File Number: 23EV004834*

*Andre R. Johnson v. The Kroger Co.  
USDC, Northern District, Atlanta Division  
Civil Action File Number: TBA (Removal # 1:23-mi-99999)*

## **EXHIBIT B: PETITION FOR REMOVAL**

**ALL PLEADINGS, PROCESS, AND ORDERS  
FILED IN THE STATE COURT OF FULTON  
COUNTY, STATE OF GEORGIA**

**General Civil and Domestic Relations Case Filing Information Form** Superior or  State Court of Fulton County**For Clerk Use Only**Date Filed \_\_\_\_\_  
MM-DD-YYYY

Case Number \_\_\_\_\_

**Plaintiff(s)**

Johnson, Andre R.

Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix

**Defendant(s)**

The Kroger Co.

Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix

Plaintiff's Attorney Paul I. HotchkissState Bar Number 368424 Self-Represented **Check one case type and one sub-type in the same box (if a sub-type applies):****General Civil Cases**

- Automobile Tort
- Civil Appeal
- Contempt/Modification/Other
- Post-Judgment
- Contract
- Garnishment
- General Tort
- Habeas Corpus
- Injunction/Mandamus/Other Writ
- Landlord/Tenant
- Medical Malpractice Tort
- Product Liability Tort
- Real Property
- Restraining Petition
- Other General Civil

**Domestic Relations Cases**

- Adoption
- Contempt
- Non-payment of child support, medical support, or alimony
- Dissolution/Divorce/Separate
- Maintenance/Alimony
- Family Violence Petition
- Modification
- Custody/Parenting Time/Visitation
- Paternity/Legitimation
- Support – IV-D
- Support – Private (non-IV-D)
- Other Domestic Relations

- Check if the action is related to another action pending or previously pending in this court involving some or all of the same: parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number \_\_\_\_\_

Case Number \_\_\_\_\_

- I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in OCGA § 9-11-7.1.

- Is a foreign language or sign-language interpreter needed in this case? If so, provide the language(s) required.

Language(s) Required \_\_\_\_\_

- Do you or your client need any disability accommodations? If so, please describe the accommodation request.

**IN THE STATE COURT OF FULTON COUNTY  
STATE OF GEORGIA**

ANDRE R. JOHNSON, )  
                        )  
Plaintiff,           )  
                        )  
v.                    )  
                        )  
THE KROGER CO.,     )  
                        )  
Defendant.           )

CIVIL ACTION FILE  
NO. \_\_\_\_\_

**JURY TRIAL DEMANDED**

**COMPLAINT**

Plaintiff Andre R. Johnson, by and through his undersigned counsel, hereby files the above-styled Complaint, showing this Honorable Court as follows:

**PARTIES, JURISDICTION, AND VENUE**

1.

Plaintiff Andre R. Johnson (“Mr. Johnson” or “Plaintiff”) is a citizen and resident of the State of Georgia.

2.

Defendant The Kroger Co. (hereinafter “Kroger” or “Defendant”) is an Ohio for-profit corporation with its principal office located at 1014 Vine Street, Cincinnati, Ohio 45202. Kroger may be served with process upon its registered agent in Georgia: CSC of Cobb County, Inc., 192 Anderson Street SE, Suite 125, Marietta, Georgia 30060.

3.

Kroger is vicariously liable for the negligence of its agents and employees, including its pharmacists, pursuant to the doctrine of *respondeat superior*.

4.

Jurisdiction and venue are proper in the State Court of Fulton County because this cause of action originated in Fulton County and Kroger has an office and transacts business in Fulton County. *See* O.C.G.A. § 14-2-510(b)(3).

### **FACTS**

5.

The allegations of the foregoing paragraphs are re-alleged and incorporated herein by this reference as if fully set forth herein.

6.

Mr. Johnson was born with a rare genetic condition, very long-chain acyl-CoA dehydrogenase deficiency (“VLCAD deficiency”).

7.

According to the National Institutes of Health:

VLCAD deficiency is a condition in which the body is unable to properly breakdown certain fats (called very long-chain fatty acids) into energy, particularly during periods without food (fasting). Signs and symptoms may include low blood sugar (hypoglycemia), lack of energy, and muscle weakness. Children affected by the most severe forms of the condition are also at risk of complications such as liver abnormalities and heart problems.

8.

Persons with untreated VLCAD deficiency can suffer an array of serious complications, including rhabdomyolysis, hypoglycemia, low energy, general muscle weakness, liver damage, and heart problems.

9.

Mr. Johnson was diagnosed with VLCAD deficiency as an infant and began a daily regimen of Levocarnitine, prescribed by his geneticist, Dr. Frances Kendall, to protect against

VLCAD-deficiency-related complications.

10.

From the time of Mr. Johnson's infancy until January 8, 2021, when he was then 16 years old, his mother, Giovanna Johnson, routinely filled his Levocarnitine prescription at the Kroger Pharmacy located at 12460 Crabapple Road in Alpharetta, Fulton County, Georgia.

11.

On January 8, 2021, and on 9 separate occasions thereafter (2/17/2021, 3/20/2021, 4/17/2021, 5/17/2021, 8/6/2021, 9/9/2021, 10/8/2021, 11/14/2021, and 12/23/2021), Kroger filled and dispensed Levetiracetam (100 Mg/Ml) instead of Levocarnitine (1G/10 MI Soln).

12.

Levetiracetam (brand name: Keppra) is an anticonvulsant drug used to treat seizures.

13.

Mr. Johnson does not have epilepsy, does not have any history of seizures, and did not have a prescription for Levetiracetam (Keppra).

14.

Kroger's errors were not discovered by Kroger but rather by Dr. Kendall after the pharmacy faxed her a refill request for Levetiracetam (Keppra) on 2/10/2022 and Dr. Kendall investigated.

15.

As a result of Kroger Pharmacy's repeated filling and dispensing errors, Mr. Johnson was not only deprived of necessary treatment for his VLCAD deficiency for more than an entire year but also given an unnecessary medication that had its own set of detrimental side effects, including unusual tiredness and weakness, fever, headache, hair loss, and a difficult withdrawal period.

16.

For more than an entire year—the period throughout which the subject pharmacy errors occurred—Mr. Johnson suffered from the combined consequences of untreated VLCAD deficiency and the side effects of Keppra, including the following medical issues and symptoms:

- (a) Four major episodes of rhabdomyolysis;
- (b) Left ventricular wall hypertrophy with diminished ventricular septal tissue;
- (c) Chronic fatigue;
- (d) Slurred speech;
- (e) Profound” elevations of CPK levels;
- (f) Elevated ALT and AST enzymes (indicating inflammation or damage to cells in the liver, kidneys, and/or heart);
- (g) Hair loss; and
- (h) Keppra withdrawal symptoms (including headaches and vomiting x 1 week).

**COUNT I – PROFESSIONAL NEGLIGENCE**

17.

The allegations of the foregoing paragraphs are re-alleged and incorporated herein by this reference as if fully set forth herein.

18.

Kroger’s pharmacist(s) who were responsible for the subject pharmacy errors breached the standard of care in at least the following ways: (1) they failed to fill and dispense the correct drug to Mr. Johnson pursuant to his prescription; (2) they filled and dispensed the wrong drug to Mr. Johnson, which he did not have a prescription for; (3) they disregarded standard safety protocols that are in place in ensure that prescription errors of this type do not occur; (4) they failed to review (or meaningfully review) Mr. Johnson’s previous medication records; (5) they failed to counsel/educate the patient on the “new” medication, Levetiracetam (Keppra), which carries known, potentially serious side effects and is considered a high-risk drug; (6) they sent Mr. Johnson’s prescribing physician a refill request for a drug that had not been prescribed for him;

and (7) they subjected Mr. Johnson to over one year of negative effects of Levetiracetam, which he did not need, and at the same time deprived Mr. Johnson of the benefits of Levocarnitine, which Mr. Johnson required for control of his VLCAD deficiency.

**COMPLIANCE WITH O.C.G.A. § 9-11-9.1**

19.

In compliance with O.C.G.A. § 9-11-9.1, Plaintiff attaches hereto as Exhibit 1 the Affidavit of Brian D. Buck, Pharm.D., FASHP.

**WHEREFORE**, Plaintiff prays for judgment against Defendant as follows:

- a. That he have judgment against Defendant in an amount greater than \$10,000.00, to be determined by the enlightened conscience of an unbiased jury for the following damages: his past and future physical and mental pain and suffering; all of his necessary future medical expenses related to Defendant's subject negligence; and any and all other damages authorized under Georgia law;
- b. That he recover attorneys' fees and expenses of litigation, to the extent that the evidence establishes his entitlement thereto;
- c. That all costs be cast against the Defendant;
- d. That he have a trial by jury; and
- e. That the Court grant such other and further relief as it deems just and proper.

Respectfully submitted, this 8th day of August, 2023.

/s/ Paul I. Hotchkiss  
Paul I. Hotchkiss  
Georgia Bar No. 368424  
Maggie L. Stewart  
Georgia Bar No. 681630

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Atlanta, GA 30317  
Telephone: 706-424-1013  
[paul@hotchkisslawfirm.com](mailto:paul@hotchkisslawfirm.com)  
[maggie@hotchkisslawfirm.com](mailto:maggie@hotchkisslawfirm.com)

*Attorneys for Plaintiff*

**EXHIBIT 1**

**AFFIDAVIT**

**STATE OF GEORGIA**                            )  
    )  
**COUNTY OF CLARKE**                            )

Before me, the undersigned officer, duly authorized to administer oaths, came Brian D. Buck, Pharm.D., FASHP, who after being first duly sworn on oath, states as follows:

1.

I am Brian D. Buck. I am a pharmacist licensed in the State of Georgia and have been so licensed since July 31, 1992. I was licensed to practice pharmacy in Georgia in 2021, when the pharmacist-related actions and omissions which are the subject of my review occurred. I am a fellow of the American Society of Health System Pharmacists. Since 2006 (including the 5 years preceding 2021), I have been in the active practice of pharmacy, first at Athens Regional Medical Center in Athens, Georgia, and then since September 2016 as an Independent Community Pharmacist in Athens, Georgia. Further, from 2006 to 2016, I was a Clinical Associate Professor at the University of Georgia School of Pharmacy and was actively involved in the teaching of pharmacy during that time. Additionally, since March 2017, I have served in the role of a Clinical Consultant as the Proprietor of Pharmacotherapy Consulting, LLC, in Athens, Georgia. A summary of my education, qualifications, background, and experience is contained in my *Curriculum Vitae*, which is attached hereto as Exhibit "A."

2.

I am over the age of eighteen (18) years, suffer from no legal disabilities, and give this Affidavit based upon my own personal knowledge and belief.

3.

Based on my education, training, and experience, I am familiar with that degree of care and skill ordinarily exercised by pharmacists generally under the same or similar circumstances and like surrounding conditions (the "standard of care"). Specifically, I am familiar with that degree of care and skill ordinarily exercised by pharmacists as it pertains to dispensing the specific medications and doses that have been prescribed to patients by their physicians and not dispensing medications to patients that have not been prescribed by their physicians.

4.

In giving this Affidavit, I have reviewed Andre Johnson's customer statement reports from Kroger Pharmacy, located at 12460 Crabapple Rd., Alpharetta, Georgia, for the time period of 2/1/2018 to 12/23/2021; his patient records from Frances Kendall, M.D., and photos of his

**EXHIBIT 1**

hair loss during 2021. I detail my opinions below.

5.

Andre Johnson had a longstanding prescription for Levocarnitine from Dr. Kendall, which was filled at Kroger Pharmacy. According to the records presently in my possession, Kroger Pharmacy filled and dispensed Mr. Johnson's prescription for Levocarnitine (1G/10 MI Soln), on 5/17/2018, 6/18/2018, 8/17/2018, 9/12/2018, 11/13/2018, 12/29/2018, 2/13/2019, 3/18/2019, 5/3/2019, 5/27/2019, 7/25/2019, 8/10/2019, 8/29/2019, 9/7/2019, 10/7/2019, 10/24/2019, 11/13/2019, 12/21/2019, 1/27/2020, 2/27/2020, 3/23/2020, 5/1/2020, 6/18/2020, 8/18/2020, 10/3/2020, 11/3/2020, and 12/1/2020.

6.

On 1/8/2021, and on 9 separate occasions thereafter (i.e., 2/17/2021, 3/20/2021, 4/17/2021, 5/17/2021, 8/6/2021, 9/9/2021, 10/8/2021, 11/14/2021, and 12/23/2021), Kroger Pharmacy filled and dispensed to Mr. Johnson Levetiracetam (100 Mg/Ml) instead of Levocarnitine (1G/10 MI Soln). Levetiracetam (brand name: Keppra) is an anticonvulsant drug used to treat seizures.

7.

According to the records in my possession, Andre does not have epilepsy, does not have any history of seizures, and did not have a prescription for Levetiracetam (Keppra).

8.

Kroger Pharmacy's errors were not discovered by Kroger Pharmacy but rather by Dr. Kendall, M.D., Mr. Johnson's long-time treating geneticist when Kroger faxed her a refill request for Levetiracetam (Keppra) on 2/10/2022 and Dr. Kendall investigated.

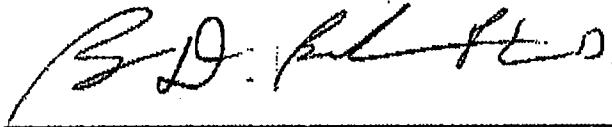
9.

Based on my education, training, and experience, the individual pharmacists at Kroger Pharmacy who were involved in dispensing to Mr. Johnson Levetiracetam instead of Levocarnitine breached the applicable standard of care in at least the following ways: (1) they failed to fill and dispense the correct drug to Mr. Johnson pursuant to his prescription; (2) they filled and dispensed the wrong drug to Mr. Johnson, which he did not have a prescription for; (3) they disregarded standard safety protocols that are in place to ensure that prescription errors of this type do not occur; (4) they failed to review (or meaningfully review) Mr. Johnson's previous medication records; (5) they failed to counsel/educate the patient on the "new" medication, Levetiracetam (Keppra), which carries known, potentially serious side effects and is considered a high-risk drug; (6) they sent Mr. Johnson's prescribing physician a refill request for a drug that had not been prescribed for him; and (7) they subjected Mr. Johnson to over one year of negative effects of Levetiracetam, which he did not need, and at the same time deprived Mr. Johnson of the benefits of Levocarnitine, which Mr. Johnson required for control of his genetic condition (very long-chain acyl-CoA dehydrogenase deficiency).

10.

It is not the purpose of this Affidavit to set forth each and every criticism that I have now or may have in the future regarding Kroger Pharmacy or the individual pharmacists at Kroger Pharmacy who were involved in dispensing to Mr. Johnson Levetiracetam instead of Levocarnitine but rather to be in compliance with O.C.G.A. § 9-11-9.1, which requires that this Affidavit set forth one negligent act and the factual basis for my opinion.

FURTHER AFFIANT SAYETH NOT.



Brian D. Buck, Pharm.D., FASHP

Sworn to and subscribed before me  
this 13<sup>th</sup> day of July, 2023.

Brenda Dillard Owens  
Notary Public

My Commission expires: 3/18/2026

Brenda Dillard Owens  
NOTARY PUBLIC  
MADISON COUNTY, GEORGIA

## **EXHIBIT A**

## **Brian Dale Buck, Pharm.D., FASHP**

**Contact Information:** 5 Oak Grove Road  
Athens, GA 30607  
Phone: 706-207-4145  
E-mail: briandalebuck@gmail.com

## CURRENT POSITION

Clinical Consultant and Proprietor March 2017 – present  
**Pharmacotherapy Consulting, LLC**  
Athens, GA

**Areas of expertise (include, but not limited to):**  
Health-System Pharmacy Practice (community and institutional), Patient / Medication Safety, Pulmonary/Critical Care Medicine, Pharmacy Management/Leadership, Post-Graduate Residency Training, Infectious Diseases, End Organ Failure

Independent Community Pharmacist                   September 2016 – present  
Certified Immunization Provider / Basic Life Support  
Certified USP Sterile Product Preparation  
Hawthorne Drugs, LLC  
Athens, GA

## **PROFESSIONAL / ACADEMIC POSITIONS**

## **Clinical Associate Professor**

University of Georgia College of Pharmacy  
Athens, GA September 2006 – July 2016

### **Clinical Practice Site:**

**Critical Care Medicine**  
Athens Regional Medical Center (January 2013 – July 2016)  
St. Mary's Health System (January 2007 – August 2012)  
Athens, GA

## **Faculty Member**

University of Georgia Graduate School  
Athens, GA September 2006 – July 2016

## **Coordinator, Pharmacotherapy**

University of Georgia College of Pharmacy  
Athens, GA August 2008 – July 2016

## **Director of Post-Graduate Residency Programs**

University of Georgia College of Pharmacy  
Athens, GA September 2006 – June 2011

## **Program Director**

ASHP-Accredited PGY1 Community Pharmacy Residency  
University of Georgia College of Pharmacy  
Athens, GA September 2006 – June 2009

## **EXHIBIT A**

**Assistant Director of Pharmacy**

Northeast Georgia Medical Center and Health System

Gainesville, GA

October 2003 – August 2006

**Director of Pharmacy (Interim)**

Northeast Georgia Medical Center and Health System

Gainesville, GA

May 2005 – November 2005

**Clinical Assistant Professor (Adjunct)**

University of Georgia College of Pharmacy

Athens, GA

February 2004 – September 2006

**Program Director**

ASHP-Accredited Pharmacy Practice Residency

Northeast Georgia Medical Center and Health System

Gainesville, GA

October 2003 – August 2006

**Program Director**

ASHP-Accredited Pharmacy Practice Residency

University of Maryland Medical Center July 1997 – July 2003

(Lead program redesign and implementation in Spring 1999; lead Residency Program (Full) Re-Accreditation in October 2002; mentored 27 residents)

**Clinician Manager, Operating Room/Emergency Department Pharmacy Services**

University of Maryland Medical Center

Baltimore, MD

July 2002 – July 2003

**Operations Manager, Centralized Operations**

University of Maryland Medical Center

Baltimore, MD

August 2002 – January 2003

**Coordinator, Patient Safety, Accreditation, Performance Improvement**

University of Maryland Medical Center

Baltimore, MD

November 2001 – December 2002

**Clinical Assistant Professor (Adjunct)**

University of Florida College of Pharmacy

Working Professional Pharm.D. Program

Philadelphia, PA and Washington, DC 1998 – 2003

**Clinical Assistant Professor (Adjunct)**

University of Maryland School of Pharmacy

Baltimore, MD

1996 – 2003

**Critical Care Clinical Specialist / Critical Care Team**

Medical Intensive Care Unit / R Adams Cowley Shock Trauma Center

Department of Pharmacy Services and UM School of Pharmacy

University of Maryland Medical Center

Baltimore, MD

July 1995 – July 2003

## EDUCATION AND TRAINING

**Wharton School of Business / University of Pennsylvania  
Executive Management Program for Pharmacy Leaders  
Philadelphia, PA      September 16 – 25, 2004**

**ASHP-Accredited Critical Care Pharmacy Practice Residency**  
University of Maryland Medical System/R A Cowley Shock Trauma Center  
Baltimore, MD      July, 1995 – June, 1996  
Preceptor:            Beth A. Vanderheyden, Pharm.D., BCPS, FASHP

**ASHP-Accredited Pharmacy Practice Residency**  
University Medical Center (Shands / Jacksonville Medical Center)  
Jacksonville, FL      July, 1994 – June, 1995  
Preceptor:            Thomas D. Keith, Pharm.D., MBA

**Doctor of Pharmacy**  
University of Georgia College of Pharmacy  
Athens, GA            September, 1992 – March, 1994

**Bachelor of Science in Pharmacy**  
University of Georgia College of Pharmacy  
Athens, GA            September, 1990 – June, 1992

## AWARDS

Student Career Development Award 2013, 2015, 2016  
University of Georgia

Teacher of the Year 2010  
University of Georgia College of Pharmacy

University of Georgia Teaching Academy 2010

American Association of Colleges of Pharmacy 2009 Innovations in Teaching

Fellow, American Society of Health System Pharmacists (FASHP)  
Awarded by ASHP Practitioner Recognition Program and ASHP Board of Directors for  
sustained practice excellence at ASHP Annual Meeting, Seattle, WA, June, 2008

Georgia Hospital Association Patient Safety Award (awarded to NGHS Dept of  
Pharmacy for implemented Override Management Project) Atlanta, GA, September, 2005

Fellow, Leonard Davis Institute of Economics: Awarded from University of  
Pennsylvania following completion of Wharton School of Business Executive  
Management Program for Pharmacy Leaders, Philadelphia, PA, September, 2004.

Residency Program “Coach of the Year” 2000, 2002  
University of Maryland Medical Center, Baltimore, MD

## PUBLICATIONS

### Peer-Reviewed Journal articles:

**B Buck**, S Wilkinson, H Phillips. Preceptor Development: Providing Effective Feedback, Part 2. Hospital Pharmacy 2014; 49(6):521-9.

V Fleming, **B Buck**, R Southwood. Community Acquired Pneumonia with Risk for Drug-Resistant Pathogens. Southern Medical Journal 2013; 106(3):209-16.

H Phillips, S Wilkinson, **B Buck**. Optimizing the Customized Residency Plan. Hospital Pharmacy 2013; 48 (6):475-8. June 2013

C Lagasse, S Wilkinson, H Phillips, **B Buck**. Integrating Precepting Into Your Daily Practice. Hospital Pharmacy 2013; 48 (3):200-3. March 2013

S Wilkinson, R Couldry, H Phillips, **B Buck**. Precptor Development: Providing Feedback to Pharmacy Residents: Part 1. Hospital Pharmacy 2013; 48 (1):26-32. January 2013

H Phillips, S Wilkinson, **Buck BD**. Preceptor Development: Role of a Needs Assessment. Hospital Pharmacy 2012; 47 (11):845-7. November 2012

**B Buck**, S Wilkinson, H Phillips. The Complexity and Importance of Residency Precepting: A Series Introduction. Hospital Pharmacy 2012; 47(8): 603-7. August 2012

**B Buck**, B Vanderheyden. Management of elevated intracranial pressure. Journal of Pharmacy Practice 2002; 15(2):167-90.

**B Buck**, GB Satterlee. Characteristics of blood alternatives for surgery. OR Pharmacy 1996; 10(2):8-9.

### Books:

Contributing Author: Millonig, MK. 100 MTM Tips for the Pharmacist. 2009. American Pharmacy Association.

### Monographs:

Buck, BD, Vanderheyden, BA. Protonix (pantoprazole). Wyeth-Ayerst. June, 2000.

### Abstracts:

“Teaching Innovations to Cultivate Patient Care Provide Skills During Pharmacy School.” Br Phillips, G Francisco, M Fulford, D McEwen, Be Phillips, K Brooks, **B Buck**. AACP Annual Meeting, Chicago, IL. July 2013.

“Assessing Student Perceptions of Active Learning in a Pharmacotherapy Course.” **B Buck** and M Fulford. AACP Annual Meeting, Orlando, FL. July 2012

“Use of a Computer Mediated Testing System Across Multiple Campus Settings at the UGA College of Pharmacy.” K Duke, R. Palmer, **B Buck**. EDULEARN11 – 3<sup>rd</sup> Annual International Conference on Education and New Learning Technologies, Barcelona, Spain, July 2011

“Assessment of Pharmacy Resident Awareness of Global Health Experiences: A Pilot Study.” M Robinson, R Jain, and **B Buck**. US Public Health Service and Training Symposium, New Orleans, June, 2011

“Expanding EU Pharmacy Graduate Access to Clinical Pharmacy Education through a US Graduate Certificate Program” **B Buck**, R Schuster, S Oie, B Phillips. European Association of Faculties of Pharmacy (EAFP) Annual Conference, Lisbon, Portugal, June 2011

M Bradshaw, S Phan, **B Buck**. Assessing Risk of QT Prolongation with Antipsychotics in Hospitalized Patients. Poster presentation, ASHP Midyear Clinical Meeting, Anaheim, CA, December 2010

J Loudermilk, M McCauley, **B Buck**. Development of an Institution-Specific Reference Library for Advanced Practice Pharmacy Experience Students, Poster presentation, ASHP Midyear Clinical Meeting, Anaheim, CA, December 2010

**B Buck** and R Southwood Quality Assessment of a Team-Taught, Learner-Centered Pharmacotherapy Course. Poster Presentation, AACP Annual Meeting, Seattle, WA, July 2010

**Buck, BD**, Ward, A, Patel, P, Southwood, R. Evaluation of Student Curricular Exposure to Pharmacy Residencies. Poster presentation, ASHP Midyear Clinical Meeting, Orlando, FL, December 2008.

W Guffey, S Sarao, **B Buck**. Development and implementation of a smoking cessation clinic in a community pharmacy practice setting. Poster presentation, APhA Annual Meeting, Charlotte, NC, March 2008

A Watts, L Castleman, **B Buck**, B Phillips. The Impact of a Community Pharmacist on Patient Knowledge of Over the Counter Medications. Poster presentation, APhA Annual Meeting, Charlotte, NC, March 2008

Powell, PH, Castleman, LB, **Buck, BD**. Implementation of a model MTM service in a chain community pharmacy. Poster presentation, APhA Annual Meeting, Charlotte, NC, March 2008

C Coulter, R Southwood, **B Buck**. Evaluating student pharmacists’ presentations: An analysis of professional presentation experiences throughout the didactic and clerkship curriculum. Poster presentation, ASHP Midyear Clinical Meeting, Las Vegas, NV, December, 2007.

J Hunt and **B Buck** Development of a model drug-usage utilization program at a community-based institution using enoxaparin as a template. Poster presentation, ACCP Annual Meeting, St Louis, MO, October 2006

B Lynch and **B Buck**. “Developing improved methods for collecting and communicating allergies of hospitalized patients.” Poster presentation, ASHP Midyear Clinical Meeting, Las Vegas, NV, December 2005.

T Blakely and **B Buck**. "Managing the medication override process in automated dispensing cabinets to improve medication safety." Poster presentation, ASHP Midyear Clinical Meeting, Las Vegas, NV, December 2005.

**B Vanderheyden, M Regan, and B Buck.** "Determination of a weight-based heparin nomogram for trauma patients." Poster presentation, Society of Critical Care Medicine 28th Educational & Scientific Symposium, San Francisco, CA, January 1999.

**S Carlisle, B Buck, and B Vanderheyden.** "Evaluation of the safety and efficacy of a single-daily-dose (SDD) aminoglycoside regimen in trauma patients." Poster presentation, Society of Critical Care Medicine 28th Educational & Scientific Symposium, San Francisco, CA, January 1999.

**Buck, BD**, Todd, MW. Errors of omission in traditional versus automated patient medication systems (abstract). *Jacksonville Medicine* 1996; 47(7):298.

**Buck, BD**, Todd, MW. Errors of omission in traditional versus automated patient medication systems. Poster presentation, American Society of Health System Pharmacists (ASHP) Midyear Clinical Meeting, Las Vegas, NV, December 1995.

Professional bulletins, newsletters, or reports:

**Buck, BD.** Medication Reconciliation. NGHS Physicians' Update. Northeast Georgia Health System (NGHS), Gainesville, GA. Fall 2006

**Buck, BD.** Pharmacy residency program implemented: a major institutional accomplishment. NGHS Physicians' Update. Fall 2004.

**Buck, BD.** The safety of intravenous potassium chloride. Drug Update 1995; 12:2. University Medical Center, Jacksonville, FL.

Other professional articles:

**Buck, BD.** Living the dream. UGA Rx. UGA College of Pharmacy Alumni Association Journal, UGA, Athens, GA. Spring 2006.

**Buck, BD.** A trip down the Broad River. UGA Rx. UGA College of Pharmacy Alumni Association Journal, UGA, Athens, GA. Winter 2006.

**Buck, BD.** Transforming a campus, a career, a profession. UGA Rx. UGA College of Pharmacy Alumni Association Journal, UGA, Athens, GA. Fall 2006.

**Buck, BD.** Extraordinary possibilities can occur when we work as a team. NGHS Newsletter. October 2005

## TEACHING

**PHRM 7840 and 7940** (Teaching in Pharmacy Practice)

**(Previously: University of Georgia Teaching Certificate Program for PHY1 and PGY2 Pharmacy Residents and Preceptors)**

Course coordinator and lecturer; developed program in 2007

**PHRM 5860 and 5870** (Pharmacotherapy I and II)

Course coordinator and lecturer (2008 – 2016); redesigned course in 2008, emphasizing active learning and group interaction

Lectures:

COPD (5860)

Sepsis and septic shock (5870)

Liver Failure (5870)

**PHRM 5901 – 5909** (for Advanced 4<sup>th</sup> yr and Introductory 3<sup>rd</sup> yr Experiential Students)

**Clinical Service:** Critical Care / Athens Regional Medical Center (Athens, GA) Intensive Care Unit

**PHRM 5140 and 5150 (P3 Skills Lab)**

Lab Instructor/Facilitator

**PHRM 5980** (Residency Research Elective Course)

Course coordinator

**PHRM 5370** (Critical Care Elective Course)

Lecturer:

Sepsis/Septic Shock

**PHRM 3010** (Introduction to Pharmacy)

Lecturer:

Introduction to Post-Graduate Residency Training

## RESEARCH

Primary-investigator for: “**Quality Improvement Assessment of a Team-Taught, Multi-Campus, Learner-Centered Pharmacotherapy Course**” August 2009 – June 2016

Primary Investigator for: “**Barriers to and Opportunities for Improved Pharmacy Professionalization in Haiti.**” Awarded UGA Office of International Education Grant = \$4000. December 2010 –December 2015.

Co-investigator for: “**Evaluation of Pharmacy Student Curricular Exposure to Global Health Education.**” January – December 2012

Primary Investigator for: “**Establishing Global Health Collaborations.**” Awarded College of Pharmacy Grant = \$2430. August 2010 – 2012.

Co-investigator for “Evaluation of Community Acquired Pneumonia Practices at a Community Hospital.” St Mary’s Healthcare System, Athens, GA  
P Kumar, V Fleming, B Buck, R Southwood. July 2009 – 2013

Athens Regional Medical Center

**Fidaxomicin (Dificid) Medication Usage Evaluation** January – February 2013  
**Carbapenem Usage Evaluation** May – July 2013

St Mary’s Healthcare System:

**ICU Sedation/Analgesia Guidelines** June 2009 – August 2009

**Sepsis Protocol** June 2009 – August 2009

**Proton Pump Inhibitor MUE and Criteria for Use.** November 2008 – August 2009

**Emergency Department Quality Assessment Review.** August – October 2008.

University of Maryland Medical System and School of Pharmacy:

“Development and implementation of a post-operative nausea and vomiting protocol.” (Co-investigator) University of Maryland Medical Center. September 2002 – July 2003.

“Analysis of returned scheduled medications—focus on omission errors.” (Co-investigator) University of Maryland Medical Center. September 2001 – May 2002.

“Development and implementation of a renal dosing and pharmacokinetic certification program for institutional pharmacists.” (Co-investigator) University of Maryland Medical Center. September 2001 – April 2002.

“Guidelines for medication dosage adjustments in adult critically ill patients receiving continuous veno-venous hemofiltration (CVVH) and continuous veno-venous hemodialysis.” (Co-investigator) University of Maryland Medical Center. September, 2000 – June 2001.

“Sedation protocol implementation: impact on patient outcomes.” (Co-investigator) University of Maryland Medical Center. September, 2000 – June 2001.

“Community acquired pneumonia protocol implementation: impact on patient outcomes.” (Co-investigator) University of Maryland Medical Center. September, 2000 – June 2001.

“Correlation and dose-response relationship between bispectral index (BIS) and the sedation agitation score (SAS) in trauma patients.” (Co-investigator) University of Maryland Medical Center. November, 1999 – June, 2000.

“Prospective, observational analysis of airway pressure release ventilation (APRV) and conventionally ventilated patients: the role of neuromuscular blocking agents.” (Co-investigator) University of Maryland Medical Center. November, 1999 – present.

“Effect of pharmacist counseling on outcomes in asthma patients.” (Co-investigator) University of Maryland Medical Center. November, 1999 – June, 2000.

**"National Nosocomial Resistance Surveillance Group: A multi-center, cross-sectional study of the prevalence and outcome of *E.Coli* infections with reduced ampicillin/sulbactam susceptibility."** (Site Investigator) University of Maryland Medical Center. March, 1999 – March, 2000.

**"Validation of a scoring system of sedation drug efficacy in the intensive care unit."** (Co-investigator) University of Maryland Medical Center. September, 1998 – October, 2000.

**"Evaluation of the safety and efficacy of a single-daily-dose (SDD) aminoglycoside regimen in trauma patients."** (Co-investigator), R Adams Cowley Shock Trauma Center, University of Maryland Medical System. October, 1998 – October 2000. DRIF Grant Fund: \$3000 (Poster presented at 1999 SCCM Annual Meeting in San Francisco)

**"Determination and validation of a weight-based heparin dosing nomogram in trauma patients."** (Co-investigator) R Adams Cowley Shock Trauma Center, University of Maryland Medical System. August, 1997 – July, 1999.

**"Impact of intensive pharmaceutical care on outcomes in trauma patients."** (Principal Investigator - Residency Research Project) R Adams Cowley Shock Trauma Center, University of Maryland Medical System. December, 1995 – June, 1996.

**"Errors of omission in a traditional versus automated patient medication system."** (Principal Investigator - Residency Research Project) University Medical Center, Jacksonville, FL. October, 1994 – June, 1995 (Poster presented at 1995 ASHP Midyear Clinical Meeting, Las Vegas, NV)

## **INVITED LECTURES AND PRESENTATIONS/CONTINUING EDUCATION**

**"Optimizing Experiential Student and Resident Layered-Learning: Advancing Clinical Pharmacy Services and Preceptor Development."** Session Chair and Presenter, ASHP Midyear Clinical Meeting, Las Vegas, December 2016 (0.15 CEU)

**"Constructive Feedback Deconstructed: How to Provide Effective Feedback to Residency Preceptors."** Session Chair and Presenter, ASHP Midyear Clinical Meeting, Anaheim, CA, December 2014 (0.1 CEU)

**"Barriers to and Opportunities For Pharmacy Professionalization in Haiti."** 2<sup>nd</sup> Annual International Conference on Africa: Focus on Globalization. UGA Institute For African Studies / UGA Latin American and Caribbean Studies, GA Center for Continuing Education, November, 2013

**Pharmacy Residency Preceptor Development Seminar.** GSHP Residency Preceptor Conference and Residency Showcase, Mercer University, Atlanta, GA, October 2012 (0.2 CEU)

***Fit and Fabulous: Residency Preceptor Development Workshop "Bootcamp" Style.*** Session moderator and presenter, ASHP Midyear Clinical Meeting, New Orleans, LA, December 2011

**“Barriers to and Opportunities for Improved Pharmacy Professionalization in Haiti.”** University of Georgia Office of International Education. Presentation of Grant Research, November 2011

**“Preceptor Developmet Activities to Improve Residency Precepting and Communication.”** GHSU Preceptor Conference, October, 2011.

**Making The Grade: Effective Collaboration Between Academia and Institutional Residency Programs.** Platform presentation, ASHP National Residency Preceptors’ Conference, August 2010

**Pharmacy Leadership Opportunities.** Provided with Mr. Tad Gomez to Pharmacy students and residents at the GSHP Summer Meeting, Amelia Island, FL, July 2009.

**“Postgraduate Residency Training: Is it for me?”** Provided for GSHP Student Chapter Seminar. Athens, GA, October, 2008.

**“Postgraduate Residency Training: Is it for me?”** Internet seminar (<http://uofgeorgia.acrobat.com/residencyprep>) provided for pharmacy students for ASHP Midyear Preparation. University of Georgia College of Pharmacy (UGA COP), Athens, GA. November 2007.

**“Introduction to Postgraduate Residency Training and Curriculum Vitae Preparation.”** Lecture provided to 3<sup>rd</sup> year pharmacy students. UGA COP P3 Class Meeting, Athens, GA. October 2007.

**“Effective Resident Evaluation Techniques.”** 0.2 CEU. Lecture to pharmacists, residents, and students at the Georgia Society of Health-System Pharmacists (GSHP) Summer Meeting, Amelia Island, FL. July 2007.

**“Importance of Developing Mentors.”** Speech provided to students, faculty, alumni, and guests at the University of Georgia College of Pharmacy (UGA COP) Annual Pinning Ceremony for 3<sup>rd</sup> year students, Athens, GA. April 2007.

**“Issues in Critical Care Pharmacy: Sepsis and Septic Shock; ICU Sedation and Analgesia”** 0.2 CEU. Lectures presented to pharmacists at the American Pharmacists Association Annual Meeting, Atlanta, GA. March 2007.

**“Drug Use in Anesthesiology” / “Review of Neuromuscular Blocking Agents.”** Lectures presented to 2<sup>nd</sup> year students for PHRM 4860 (Disease State Management). UGA COP, Athens, GA. March 2007.

**“Residency Training: “Is it for me?”** Lecture presented to students for GSHP at Mercer University Southern School of Pharmacy, Atlanta, GA. January 2007.

**“Development of a model drug-usage utilization program at a community-based institution using enoxaparin as a template.”** Poster presentation (with Dr. Jennifer Hunt) – American College of Clinical Pharmacy Annual Meeting, St. Louis, MS. October 2006.

**“Pharmacy Practice in a Media and Consumer-Driven Society.”** Lecture presented to members of Crawford Long Museum Board of Directors and general public, Crawford Long Museum, Jefferson, GA. September 2006.

**“Promoting Pharmacy Practice and Residency Training to Institutions and the General Public.”** Platform seminar presented at “*Telling Your Story 2005: Tips and Techniques for Advancing Patient Care through Public Relations.*” American Society of Health-System Pharmacists (ASHP) Midyear Clinical Meeting, Las Vegas, NV. December 2005.

**“Developing improved methods for collecting and communicating allergies of hospitalized patients.”** Poster presentation (with Dr. Bethany Lynch) – ASHP Midyear Clinical Meeting, Las Vegas, NV. December 2005.

**“Managing the medication override process in automated dispensing cabinets to improve medication safety.”** Poster presentation (with Dr. Teresa Blakely) – ASHP Midyear Clinical Meeting, Las Vegas, NV. December 2005.

**“Winning with the RLS.”** 0.4 CEU. Workshop presented to pharmacists, residents, and residency preceptors for the GSHP Research Forum, Atlanta, GA. August 2005.

**“Residency Training: “Is it for me?”** Lecture presented to students at UGA COP, Lamda Kappa Sigma Professional Seminar, Athens, GA. March 2005.

**“Residency Learning System Workshop.”** 0.8 CEU. Workshop Facilitator—ASHP Midyear Clinical Meeting, Orlando, FL. December 2004.

**“We are the Magic!”** Formal graduation speech presented to 2004 Class of The Wharton Executive Management Program for Pharmacy Leaders. Wharton School of Business, University of Pennsylvania, Philadelphia, PA. September 2004.

**“Residency Learning System Workshop.”** 0.8 CEU. Workshop Facilitator—ASHP National Preceptors’ Conference, San Diego, CA. August 2004.

**“Recruiting, Training, and Retaining Pharmacy Residents in a White Water World.”** Lecture presented to VHA Pharmacy Council, GSHP Fall Meeting, Helen, GA. October 2004.

**“Residency Training: “Is it for me?”** Lecture presented to 1<sup>st</sup> year pharmacy students UGA COP, Athens, GA. April 2004.

**“Prevention of Medication Errors in the Hospitalized Patient.”** 56<sup>th</sup> Annual Postgraduate Pharmacy Spring Seminar for Health Care Professionals. UGA COP, Athens, GA. April 2004.

**“Residency Learning System.”** 0.8 CEU. Workshop Facilitator – ASHP Midyear Clinical Meeting, New Orleans, LA. December 2003.

**“Review of Medication Safety Principles.”** Lecture provided to School of Pharmacy Faculty, Baltimore City Residents, and Residency Program Preceptors, University of Maryland School of Pharmacy, Practice Management Seminar Series, Baltimore, MD. April 2003.

**“Pharmacologic Review of Respiratory Tract Antibiotics.”** 0.1 CEU. Faculty Lecturer—University of Maryland School of Medicine, Division of Pulmonary and Critical Care Medicine Continuing Medical Education Program, Baltimore, MD. September 2002.

**“Residency Learning System.”** 0.8 CEU. Workshop Facilitator – ASHP National Preceptors’ Conference, San Diego, CA. August 2002.

**“Residency Learning System.”** 0.8 CEU. Workshop Facilitator – Pennsylvania Society of Health-System Pharmacists (PSHP) Clinical Meeting, Pittsburgh, PA. March 2002.

**“Update on Insomnia Management.”** Lecture presented to Department of Internal Medicine and Ambulatory Medicine, University of Maryland Medical Center, Baltimore, MD. January 2002.

**“UMMC Department of Pharmacy JCAHO Preparedness.”** Presentation made to Medical Center Vice-Presidents, Medical Directors, Departmental Managers, and CEO, University of Maryland Medical Center. January 2002.

**“Residency Learning System.”** 0.8 CEU. Workshop Facilitator – American Society of Health-System Pharmacists (ASHP) Midyear Clinical Meeting, New Orleans, LA. December 2001.

**“Residency Learning System.”** 0.8 CEU. Workshop Facilitator – Eastern States Conference for Pharmacy Residents and Preceptors, Baltimore, MD. April 2001.

**“Residency Learning System.”** 0.8 CEU. Workshop Facilitator – American Society of Health-System Pharmacists (ASHP) Midyear Clinical Meeting, Las Vegas, NV. December 2000.

**“Community Acquired Pneumonia and Pathway Implementation/Management”.** 0.2 CEU. Lecture presented to Maryland and West Virginia Clinical Pharmacists/Pharmacy Directors, Baltimore, MD. November 2000.

**“Update on Insomnia Management.”** Lecture presented to Department of Internal Medicine and Ambulatory Medicine, University of Maryland Medical Center. August 2000.

**“Review of Amiodarone use in ACLS.”** Lecture presented to Department of Pharmacy Services, University of Maryland Medical Center. July 2000.

**“Community Acquired Pneumonia.”** Grand Rounds Lecture presented to Department of Internal Medicine, Harbor Hospital, Baltimore, MD. April 2000.

**"Review of Sedation and Paralysis Guidelines."** Multiple Lectures presented to Department of Pharmacy Services, University of Maryland Medical Center. January 2000.

**"Residency Learning System."** 0.8 CEU. Workshop Facilitator – ASHP Midyear Clinical Meeting, Orlando, FL. December 1999.

**"Residency Learning System."** 0.8 CEU. Workshop Facilitator – Eastern States Conference for Pharmacy Residents and Preceptors, Baltimore, MD. April 1999.

**"Determination of a weight-based heparin nomogram for trauma patients."** Poster presentation – Society of Critical Care Medicine 28th Educational & Scientific Symposium, San Francisco, CA. January 1999.

**"Principles of sedation and neuromuscular blockade in pulmonary medicine patients and review of ICU sedative and neuromuscular blocking agents."** Lecture presented to faculty, fellows, and physicians at the Annual Department of Pulmonary Medicine Conference, University of Maryland Medical System, Baltimore, MD. September 1998 – September 2002.

**"Advances in pharmacologic management of acutely-ill patients."** Faculty Member – High Acuity Medical/Surgical Nursing Conference, Washington, DC. October 1997.

**"Pharmacotherapy review for intermediate care patients."** Medical Intermediate Care Program for Registered Nurses. University of Maryland Medical System, Baltimore, MD. December 1996 – January 1997.

**"Sedation and paralysis of critically ill patients."** Monthly lecture to Medical ICU house staff. Medical Intensive Care Unit, University of Maryland Medical System, Baltimore, MD. September 1996 – May 2003.

**"Drug therapy related acute renal dysfunction and drug dosing in renal failure."** Quarterly Lecture to Nontraditional Doctor of Pharmacy Candidates PHNT 540 (Advanced Therapeutics). University of Maryland School of Pharmacy, Baltimore, MD. October 1996 – 1998.

**"Update on sepsis and septic shock."** Annual lecture to pharmacy students for PCLN 449 (Critical Care Therapeutics). University of Maryland School of Pharmacy, Baltimore, MD. May 1996 – 1999.

**"Impact of intensive pharmaceutical care on outcomes in trauma patients."** Presentation of residency research – Eastern States Conference for Residents and Preceptors, Baltimore, MD. April, 1996.

**"Strategies for preventing omission errors in an automated patient medication system."** Platform presentation – ASHP Midyear Clinical Meeting, Las Vegas, NV. December, 1995.

## **GRADUATE PHARMACY RESIDENTS TRAINED/CURRENT POSITION**

### **2007-2008**

*W. Josh Guffey, Pharm.D.*, Clinical Assistant Professor, UNC College of Pharmacy, Chapel Hill, NC.

*Amber N. Watts, Pharm.D.*, Clinical Assistant Professor, Community Practice, Texas A&M University, College Station, TX.

### **2006-2007**

*Patricia Powell, Pharm.D.*, Clinical Associate Professor, Community Practice, South Carolina College of Pharmacy, Columbia, SC

### **2005-2006**

*Jennifer A. Hunt, Pharm.D.*, Clinical Pharmacist, Internal Medicine, Waccamaw Community Hospital, Murrell's Inlet, SC

### **2004-2005**

*Bethany A. Lynch, Pharm.D.*, Clinical Specialist, Neonatology, Medical College of Georgia Medical Center and Clinics, Augusta, GA

### **2002-2003**

*Elizabeth Cincotta, Pharm.D.*, Cardiology Specialist, Henry Ford Hospital, Detroit, MI

*Stephany Chen, Pharm.D.*, Pediatric Clinical Pharmacist, Sinai Medical Center, Baltimore, MD

*Viet Ho, Pharm.D.*, Hematology/Oncology Specialist and RPD, Moffitt/Tampa Medical Center, Tampa, FL

*Leila Mohassel, Pharm.D.*, Oncology Clinical Specialist, Inova Fairfax Health System, Fairfax, VA

### **2001-2002**

*Nicole C. Casselberry, Pharm.D.*, Primary Care Specialist, VA Asheville, NC.

*Yoo Jung Chang, Pharm.D.*, Pediatric Clinical Pharmacist, Greater Baltimore Medical Center, Baltimore, MD

*Akilah F. Strawder, Pharm.D.*, Accreditation Specialist, Accreditation Services Division, ASHP, Bethesda, MD.

### **2000-2001**

*Gail M. Burniske, Pharm.D.*, Internal Medicine Specialist, Boston Medical Center, Boston, MA

*Kimberley A. Cantalupe, Pharm.D.*, Clinical Pharmacist/Antibiotics Coordinator, Infectious Disease, Hershey Medical Center, Hershey, PA

*Che' J. Jordan, Pharm.D.*, Critical Care Pharmacy Specialist, Florence, SC

*Romy Mavumkal, Pharm.D.*, Ambulatory Care Specialist, Alexandria, VA

*Brady S. Moffett, Pharm.D.*, Pediatrics Specialist and RPD, Texas Children's Hospital, Houston, TX

*Hazel Sun, Pharm.D.*, Clinical Pharmacist, Internal Medicine/Ambulatory Care, Walter Reed Army Medical Center, Bethesda, MD

**1999-2000**

*Seth P. Brownlee, Pharm.D.*, BCPS Clinical Specialist, Surgery/Critical Care, Lutheran General Medical Center and Midwestern University, Chicago, IL

*Allison M. Chung, Pharm. D.*, Associate Professor, Women and Children's Health and PGY1 Pediatrics RPD, Auburn University College of Pharmacy, Mobile, AL

*Anne C. Ferri, Pharm.D.*, Consultant Clinical Pharmacist, Ferri Pharmacy, Murrysville, PA

*Nicoe Franklin-McCoy, Pharm.D.*, Director of Pharmacy, University of Maryland Medicine / Kernan Rehabilitatory Institute, Baltimore, MD

*Laura Atkins, Pharm.D.*, BCPS Clinical Pharmacy Manager and RPD, Rockingham Memorial Hospital, Harrisonburg, VA

*Deborah A. Sarama, Pharm.D.*, Clinical Pharmacist (part-time), Oncology, University of Maryland Medical Center, Baltimore, MD; Community Pharmacist (part-time), Target Pharmacy, Columbia, MD.

**1998-99**

*Kimberly A. Couch, Pharm.D.*, Clinical Specialist, Infectious Disease, Christiana Care Health System, Newark, DE

*Aliya F. Mansoor, Pharm.D.*, Clinical Specialist, Adult Internal Medicine, Union Memorial Medical Center Baltimore, MD

*Maura L. Osborne, Pharm.D.*, BCPS, Clinical Manager, Owen Healthcare, Mercy Health Partners, Wilkes-Barre, PA

*Lynell M. Wright, Pharm.D.*, Clinical Pharmacist, Ambulatory Care / Internal Medicine, Washington Hospital Center, Washington, DC

**1997-98**

*Maryam Behta, Pharm.D.*, Clinical Specialist, Infectious Disease, Cornell University Hospital, New York, NY

*Mary E. Regan, Pharm.D.*, Clinical Specialist, Medical/Surgical Intensive Care, Boston Medical Center, Boston, MA

**CRITICAL CARE RESIDENTS PRECEPTED/CURRENT POSITION:**

**1998-99**

*CPT Steven S. Carlisle, Pharm.D.*, BCPS, Critical Care Clinical Pharmacy Specialist, Director, Pharmacy Residency Program, Willford Hall USAF Base, San Antonio, TX

**2000-2001**

*Seth P. Brownlee, Pharm.D.*, BCPS Critical Care Pharmacy Specialist, Surgery, Midwestern University/Lutheran General Hospital, Chicago, IL

## NATIONAL, REGIONAL, LOCAL PROFESSIONAL MEMBERSHIPS / ACTIVITIES

- 2010 – 2016      Invited External Promotion Reviewer  
University of Iowa College of Pharmacy (2014)  
University of Tennessee College of Pharmacy (2010)
- 2006 – 2015      American Association of Colleges of Pharmacy  
African Collaboration SIG (2011-2014)
- 1992 – present     American Society of Health-System Pharmacists (ASHP)  
  
Member, Section of Clinical Pharmacy Specialists  
(1996-present)  
**Appointed / Invited Member Section Advisory Group for Precepting / Preceptor Development (2012-14)**  
  
Accreditation Services Division / Commission on Credentialing Guest Surveyor (2002-2012)  
Residency Programs surveyed:  
University of Arizona Medical Center and College of Pharmacy PGY1 programs, May 2011  
Southeastern Regional Medical Center, Lumberton, NC, PGY1 Pharmacy, November, 2010  
SUNY Buffalo College of Pharmacy, PGY1 Pharmacy, October 2010  
Loma Linda (CA) VA Medical Center, PGY1 Pharmacy, September 2010  
St Elizabeth Health Care PGY1 Pharmacy, Florence KY, April 2010  
Huntsville Hospital, PGY1 Pharmacy, Huntsville, AL, October, 2009  
Lakeland (FL) Regional Medical Center, PGY1 Pharmacy, February 2009  
Valley Medical Center, Renton, WA, PGY1 Pharmacy, January 2009  
New Hanover Regional Medical Center, Wilmington, NC, PGY1 Pharmacy, May 2008  
Norman (OK) Regional Medical Center, PGY1 Pharmacy, March 2008  
University of Oklahoma (Tulsa), PGY1 Pharmacy, June 2007  
Franciscan Healthcare, PGY1 Pharmacy, November 2006  
Multicare Health System, PGY1 Pharmacy, November 2006  
Choctaw Reservation Health Services, Pharmacy Practice, April 2005  
Summa Healthcare, Pharmacy Practice, April 2005  
University of Wyoming, Pharmacy Practice, June 2003  
University of Minnesota, Pharmacy Practice, September 2002  
Mayo Clinic (Minnesota), Pharmacy Practice, September 2002  
  
Residency Learning System (RLS) National Facilitator (1998-2006)  
RLS Workshops taught: 12   Preceptors trained: ~ 500  
  
Article/Continuing Education Field Tester (1998-present)

<u>1996 – 2011</u>	<u>Regional Pharmacy Residency Conference Board Membership:</u>
2006 – 2011	Southeastern States Regional Residency Conference Advisory Board Member (2006 – 2010) Program Chair (2008-2009)
1996 – 2004	Eastern States Conference for Pharmacy Residents and Preceptors Board Member (1996-2004) Vice Chair / Facilities Chair (2001-2004) Program Chair (1999-2000) Theme: " <i>Commitment to Leadership</i> "
2004 – present	Georgia Society of Health-System Pharmacists (GSHP) Elected Delegate to ASHP Congress of Delegates (2009) Student and Resident Affairs Committee (2005-present)
1995 – 2016	Society of Critical Care Medicine (SCCM) Clinical Pharmacy/Pharmacology Section (1996-present) Manuscript Reviewer (1997-2003)
2007 – present	<u>Journal article reviewer</u> <u>Articles reviewed:</u> “A qualitative study of herbal medicine use in Ukraine: Implications for US pharmacy practice.” <b>Journal of Pharmacy Practice.</b> Reviewed August, 2011; “First year residency candidates’ perceived level of experience in various areas of pharmacy practice.” <b>American Journal of Pharmacy Education.</b> Reviewed December 2007
2004 – 2008	UGA College of Pharmacy Alumni Association President (2006-2007) President-elect (2005-2006)
1995 – 2009	American College of Clinical Pharmacy (ACCP)
2006 – 2010	Georgia Pharmacists Association (GPhA) Academy of Health-System Pharmacists (2009 – 2010) Board of Directors (2007 – 2009) Student and Resident Affairs Committee (2007 – 2010)
2006 – present	R C Wilson Pharmacy Association, Athens, GA
2005 – present	American Pharmacists Association

**UNIVERSITY OF GEORGIA ACADEMIC COMMITTEES/RESPONSIBILITIES**

<u>2006 – 2016</u>	COP Academic and Professionalism Committee (2013-present) COP Teacher of the Year Selection Committee (2010-2014) COP Director of Residency Programs, Chair, UGA Residency Program Directors’ Committee (2006-11) COP Curriculum Committee (2009-2012), Chair (2010-11) COP Alumni Association Board (2004-2008) Pharmacy School Addition Planning Committee (2006-2007) COP Faculty Council (2006-09) COP Faculty Advisor (Kappa Psi, ASHP/GSHP Student Society)
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## NORTHEAST GEORGIA HEALTH SYSTEM COMMITTEES/RESPONSIBILITIES

- 2003 – 2006      NGHS Activities to Improve Pharmaceutical Care (most programs and processes are ongoing):
- Co-Chair the Strategic PI Task Force charged with improving service efficiency and effectiveness and cutting expenses by \$2.2 million (This project was completed successfully with 0.0 FTEs cut from Pharmacy Services)
  - Chair Medication Administration Project—Medication Reconciliation Process (completed Summer 2006)
  - Serve as member of Medication Integrity Management Committee, Medication Error Workgroup, P&T Committee, JCAHO Continuous Survey Readiness Team, Resuscitation Committee, Orientation/Training Committee, Performance Improvement Network
  - Justified/ developed / implemented NGHS Residency Program using RLS Model
  - Justified / developed / implemented Perioperative / Women and Children's Health Pharmacy Services
  - Created “Override” team, a multidisciplinary practice group, to review override process for automated medication dispensing in the patient care area. This team developed an objective tool to process override requests which won the 2004 PHA Patient Safety Award
  - Developed Pharmacy Safety Team to review errors routinely and develop solutions to prevent errors and promote patient safety

## UNIVERSITY OF MARYLAND COMMITTEES/RESPONSIBILITIES

- 1998 – 2003      UMMC Activities to Improve Pharmaceutical Care:
- developed/advanced OR Pharmacy Practice at UMMC
  - worked with UMMC Perioperative Services/Anesthesiology for “OR of the Future” facilities planning
  - worked with Anesthesia to improve controlled substance waste documentation
  - lead reaccreditation of Residency Programs at UMMC (Full re-accreditation awarded October 2002)
  - managed UMMC JCAHO Medication Use preparedness (Final score: 91); member UMMC JCAHO Oversight Committee
  - revised and developed numerous operational P&P
  - developed Pharmacist/Technician responsibility grids
  - re-engineered Medication Error/ADE process
  - developed MEADE Advisory Committee, a multidisciplinary subcommittee of P&T which monitored, evaluated ADEs, and provided institutional plans for improved patient safety
  - developed/implemented pre-printed order form safety checklist
  - developed unacceptable, dangerous abbreviations list for UMMC

	(approved Information Management Committee, subcommittee of Medical Staff, April 2002)
➤	revised/rewrote Pharmacy Scope of Service document and Mission, Vision, and Values Statements
➤	developed UMMC Pharmacy Residency website
➤	worked with Clinical Manager and Clinical Effectiveness to implement cost savings projects
➤	worked with Nursing through Nursing/Pharmacy and Pharmacy/Clinical Practice Committees (developed several practice protocols—dose ranges)
➤	developed/implemented system-wide ICU sedation protocol
➤	developed/implemented head trauma pathway
➤	re-implemented UMMC ACLS/Resuscitation Team
➤	developed drug shoratge plans
➤	developed orientation/competency checklists for pharmacists
➤	developed/implemented community acquired pneumonia protocol
➤	developed UMMC policy for environmental exposure to aerosolized ribavirin
➤	developed/implemented numerous MICU medication protocols (once-daily aminoglycosides, haloperidol, propofol, sedation/analgesia)
➤	participated in the following patient care committees:
2001 – 2003	Pharmacy Leadership/Management Team
2001 – 2003	UMMC Safety/Risk Reduction Committees
2001 – 2003	UMMC JCAHO Oversight Committee/Care and Assessment Survey result = 91 (July, 2002)
2001 – 2003	UMMC Information Management Group (Forms Committee)
2001 – 2003	UMMC Pharmacy/Nursing Committees (PI and CPC)
2001 – 2003	Surgical Critical Care Committee
2001 – 2002	UMMC Head Trauma Pathway Committee
2001 – 2003	UMMC Resuscitation Committee
2001 – 2003	UMMC ICU Sedation Committee
2001 – 2003	Chair, UMMC Pharmacy Department Vision Team
2000 – 2003	Designer / Author, UMMC Pharmacy and Pharmacy Residency Web Page ( <a href="http://www.umm.edu/pharmacy">www.umm.edu/pharmacy</a> )
1999 – 2000	CAP Pathway Committee
2000 – 2003	UMMC Industry Advisory Council
1998 – 2003	Residency Learning System Facilitator, University of Maryland Medical System, Department of Pharmacy
1997 – 2003	Program Director, Pharmacy Practice Residency Director, Pharmacy Residency Committee, University of Maryland Medical Center Residency Re-accreditation Team Leader (October 2002) Residency Re-accreditation Team (October 1996) Resident/Student Preceptor for Critical Care Medicine (MICU)
1997 – 2003	Residency Committees, University of Maryland School of Pharmacy, Baltimore City Residency Committee, Baltimore, MD
1997 – 2000	Coordinator, Pharmacist Orientation to Shock Trauma Pharmacy
1997	Medical ICU/Oncology ICU Transition Committee
1997 – 2002	Medical ICU Quality Management Committee
1997 – 2002	Medical ICU Clinical Practice Committee (Coordinator, RN Medication Inservices)
1996 – 2002	Coordinator, ICU Sedation/NMBA Guidelines Education/Implementation

1996 – 2002 Pulmonary Medicine/Medical ICU Housestaff Lecture Series on ICU Sedation  
1996 UMMC Nursing Intermediate Care Teaching Program  
1996 – 1998 Asthma Clinical Pathway Committee  
1996 – 1998 Upper/Lower GI Bleed Clinical Pathway Committee

## **COMMUNITY SERVICE**

Brian Dale Buck University of Georgia Clinical Endowment Fund (2007 – present)  
Volunteer, “In Their Shoes” Breast Cancer Walk for Lauren Smith Cancer Center,  
Athens Regional Medical Center, Athens, GA (October 2012 - present)  
Humane Society Annual Benefit, Athens, GA (2008 – present)  
Athens AIDS Walk, UGA Faculty Advisor (Total \$ raised to date ~ \$20,000) 2008-2010  
AIDS Athens Volunteer (2007 – present)  
UGA College of Pharmacy Health Fair, St. Joseph’s Catholic Church, Athens, GA, 2007  
AIDS Athens Festival For Life Fundraiser 2007, 2008, 2009  
Mercy Clinic Pharmacy Practice Volunteer 2006-2007  
Dawgtoberfest College of Pharmacy Health Fair Advisor 2006-2009  
NGHS Residency Program Community Service Projects, 2004 – 2006  
Eucharistic Minister and Lector, Basilica of the Assumption of the Blessed Virgin Mary,  
Baltimore, MD, 1999 – 2003  
UMMS Residency Program Community Service Projects, 1997 – 2003

## CERTIFICATION AND LICENSURE

Licensure GA #17202

## **REFERENCES (Provided upon request)**

**General Civil and Domestic Relations Case Filing Information Form** Superior or  State Court of Fulton County**For Clerk Use Only**Date Filed \_\_\_\_\_  
MM-DD-YYYY

Case Number \_\_\_\_\_

**Plaintiff(s)**

Johnson, Andre R.

Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix

**Defendant(s)**

The Kroger Co.

Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix

Plaintiff's Attorney Paul I. HotchkissState Bar Number 368424 Self-Represented **Check one case type and one sub-type in the same box (if a sub-type applies):****General Civil Cases**

- Automobile Tort
- Civil Appeal
- Contempt/Modification/Other
- Post-Judgment
- Contract
- Garnishment
- General Tort
- Habeas Corpus
- Injunction/Mandamus/Other Writ
- Landlord/Tenant
- Medical Malpractice Tort
- Product Liability Tort
- Real Property
- Restraining Petition
- Other General Civil

**Domestic Relations Cases**

- Adoption
- Contempt
- Non-payment of child support, medical support, or alimony
- Dissolution/Divorce/Separate
- Maintenance/Alimony
- Family Violence Petition
- Modification
- Custody/Parenting Time/Visitation
- Paternity/Legitimation
- Support – IV-D
- Support – Private (non-IV-D)
- Other Domestic Relations

- Check if the action is related to another action pending or previously pending in this court involving some or all of the same: parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number \_\_\_\_\_

Case Number \_\_\_\_\_

- I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in OCGA § 9-11-7.1.
- Is a foreign language or sign-language interpreter needed in this case? If so, provide the language(s) required.

Language(s) Required \_\_\_\_\_

- Do you or your client need any disability accommodations? If so, please describe the accommodation request.

**IN THE STATE COURT OF FULTON COUNTY  
STATE OF GEORGIA**

ANDRE R. JOHNSON, )  
                          )  
Plaintiff,            )  
                          ) CIVIL ACTION FILE  
v.                     ) NO. \_\_\_\_\_  
                          )  
THE KROGER CO.,      )  
                          ) **JURY TRIAL DEMANDED**  
Defendant.            )

**PLAINTIFF'S FIRST SETS OF CONTINUING INTERROGATORIES AND REQUESTS  
FOR THE PRODUCTION OF DOCUMENTS TO DEFENDANT**

Plaintiff Andre R. Johnson, pursuant to O.C.G.A. §§ 9-11-26, -33, and -34, hereby requests that Defendant The Kroger Co. answer these Interrogatories and Requests for Production of Documents pursuant to requirements of the Georgia Civil Practice Act within 45 days of service.

**INTERROGATORIES**

1.

Please describe, with sufficient particularity to permit you to respond to a Request for Production of Documents, all records, writings or memoranda known to you which relate to any pharmaceutical services accomplished by you in connection with Andre R. Johnson, and please state the name, address and telephone number of the custodian of all such matters. In the alternative, please attach a copy of all such records, writings or memoranda to your answers to these Interrogatories.

2.

Within the past 10 years, have you been a defendant in a civil lawsuit, other than the present action, regarding the alleged negligent dispensing of a medication for which the customer did not have a prescription? If so, please state the names of the parties to the lawsuit, the court in which the lawsuit was filed, the date of filing, the nature of the litigation, and the ultimate resolution of the action, *e.g.*, any amounts paid in settlement or any amounts rendered in judgment.

3.

Please state whether or not you have any liability policy of insurance which is extending coverage to you which may be applicable to the litigation which is the subject matter of Plaintiff's Complaint and, for each such policy, please state:

- a. the named insured on each such policy;
- b. the policy number of each such policy;
- c. the name of each insurance company which issued a policy; and
- d. the limits of liability and the types of coverage provided under each applicable liability policy.

Note: Please do not merely refer to a produced declarations page.

4.

Please state the name, address and telephone number of all persons whom you expect to call or may call as an expert witness at trial. This includes any of Andre R. Johnson's treating medical care providers from whom you may elicit standard of care or causation testimony. With respect to each such person, please state:

- a. the specific subject matter on which you expect such expert to testify;

- b. the substance of the facts, opinions and conclusions to which you expect such expert to testify;
- c. a summary of the factual grounds for each such opinion or conclusion.

5.

Please state the names, addresses, home telephone numbers, places of employment, job titles or capacities, and present whereabouts of all persons having knowledge of relevant information, facts, or circumstances in this case known to you.

6.

Please state the names, addresses, home telephone numbers, places of employment, job titles or capacities, and present whereabouts of all persons who have given written statements covering the facts and circumstances in the incident which is the subject matter of this litigation, listing for each such statement the date of same and by whom said statement was given.

7.

Please provide a detailed factual basis for each defense asserted by you in your Answer to Plaintiff's Complaint.

8.

If you contend that any other person or entity was negligent in causing the injuries claimed in the Complaint,

- a. please state the full name and last known address and telephone number of that person or entity; and
- b. please state all facts which support such a contention.

9.

If you contend that Andre R. Johnson was negligent or that her actions or inactions resulted in the injuries claimed in the Complaint, please state and identify all facts that support such contentions.

10.

Are there any incident reports which relate, in any way, to Andre R. Johnson? If so, please identify them.

11.

If you contend that you have not been properly served with process, please provide a detailed factual explanation of why and how service was improper.

12.

Please state the date on which you first anticipated litigation regarding the events alleged in the Complaint.

13.

Identify the pharmacist(s) who filled and dispensed Levetiracetam (100 Mg/Ml) to Andre R. Johnson on the following dates:

- (a) January 8, 2021;
- (b) February 17, 2021;
- (c) March 20, 2021;
- (d) April 17, 2021;
- (e) May 17, 2021;
- (f) August 6, 2021;
- (g) September 9, 2021;

- (h) October 8, 2021;
- (i) November 14, 2021; and
- (j) December 23, 2021.

14.

For each pharmacist identified in response to Interrogatory No. 12, above, please state whether or not that pharmacist was your employee and/or agent on the date(s) that he/she filled and dispensed Levetiracetam (100 Mg/Ml) to Andre R. Johnson.

15.

Identify all orders, guidelines, and/or policies and procedures in effect in 2021 applicable to the dispensing of appropriate medications to patients, *i.e.*, the specific mediation and dosage for which the patient has a prescription.

16.

Identify all training you provide to your pharmacists with regard to the dispensing of appropriate medications to patients, *i.e.*, the specific mediation and dosage for which the patient has a prescription.

17.

Identify the computer software system(s) in use at the pharmacy within the Kroger store located at 12460 Crabapple Road in Alpharetta, Fulton County, Georgia, in 2021, and the vendor or IT company used for maintenance of said computer software system(s).

18.

Identify the date upon which you first became aware of the filling and dispensing errors that are the subject of Plaintiff's Complaint.

**REQUESTS FOR PRODUCTION**

1.

Please produce a complete copy (and not just the declarations page) of each and every policy of liability insurance identified in your response to Plaintiff's First Set of Continuing Interrogatories.

2.

Please produce a certified copy of all medical and pharmacy records, telephone records, telephone logs, notes, films, images, emails, and all other documents in your or your attorney's possession that pertain to Andre R. Johnson and/or the events at issue in the Complaint.

3.

Please produce a copy of your trial expert(s)' curriculum vitae, and all correspondences and materials provided to or exchanged between you or your counsel and your trial expert(s) that pertain to Andre R. Johnson and/or the events at issue in the Complaint.

4.

Please produce all documents identified by you in response to Plaintiff's First Set of Continuing Interrogatories.

5.

Please produce all documents in your possession, custody or control which relate in any way to Andre R. Johnson and/or the events at issue in the Complaint that otherwise are not included in the documents provided in response to Request No. 2, above.

6.

Please produce all correspondence, including but not limited to email correspondence and text messages, sent to or received from Andre R. Johnson or his mother, Giovanna Johnson, by

you, your agents, or your employees.

7.

Please produce all documents generated and submitted by you, your agents and/or employees in order to receive payment for the services provided to Andre R. Johnson.

8.

Please produce any and all incident reports which in any way relate to Andre R. Johnson.

9.

For each pharmacist identified in your response to Interrogatory No. 13 of Plaintiff's First Set of Continuing Interrogatories, please provide his/her personnel/employee file.

10.

Please produce copies of all written orders, guidelines, and/or policies and procedures in effect in 2021 applicable to the dispensing of appropriate medications to patients, *i.e.*, the specific medication and dosage for which the patient has a prescription.

11.

Please produce copies of all manuals, instructions, guides, training materials, and the like, pertaining to the computer software system(s) identified by you in response to Interrogatory No. 17 of Plaintiff's First Set of Continuing Interrogatories.

12.

Please produce all training materials provided to your pharmacists or used by you to train your pharmacists regarding the dispensing of appropriate medications to patients, *i.e.*, the specific medication and dosage for which the patient has a prescription.

13.

Please provide the following for each document that is responsive to the foregoing requests for production but is not being produced to Plaintiff on grounds that it is privileged or otherwise protected:

- a. Date of document;
- b. Type of document;
- c. Author of document; and
- d. Grounds for not producing the document to Plaintiff.

This 8th day of August, 2023.

/s/ Paul I. Hotchkiss  
Paul I. Hotchkiss  
Georgia Bar No. 368424  
Maggie L. Stewart  
Georgia Bar No. 681630

HOTCHKISS LAW FIRM LLC  
185 E. Lake Ter. SE  
Atlanta, GA 30317  
Telephone: 706-424-1013  
[paul@hotchkisslawfirm.com](mailto:paul@hotchkisslawfirm.com)  
[maggie@hotchkisslawfirm.com](mailto:maggie@hotchkisslawfirm.com)

*Attorneys for Plaintiff*

GEORGIA, FULTON COUNTY

DO NOT WRITE IN THIS SPACE

STATE COURT OF FULTON COUNTY  
Civil Division

CIVIL ACTION FILE #: \_\_\_\_\_

**Andre R. Johnson**

c/o Hotchkiss Law Firm LLC, 185 E. Lake Ter. SE

Atlanta, GA 30317

Plaintiff's Name, Address, City, State, Zip Code

vs.

**The Kroger Co.**

c/o CSC of Cobb County, Inc., 192 Anderson Street SE,

Ste. 125, Marietta GA 30060

Defendant's Name, Address, City, State, Zip Code

<u>TYPE OF SUIT</u>	<u>AMOUNT OF SUIT</u>
<input type="checkbox"/> ACCOUNT	PRINCIPAL \$ _____
<input type="checkbox"/> CONTRACT	INTEREST \$ _____
<input type="checkbox"/> NOTE	ATTY. FEES \$ _____
<input type="checkbox"/> TORT	COURT COST \$ _____
<input type="checkbox"/> PERSONAL INJURY	*****
<input type="checkbox"/> FOREIGN JUDGMENT	
<input type="checkbox"/> TROVER	
<input type="checkbox"/> SPECIAL LIEN	
 <input type="checkbox"/> NEW FILING	
<input type="checkbox"/> RE-FILING: PREVIOUS CASE NO. _____	

**SUMMONS**

TO THE ABOVE NAMED-DEFENDANT:

You are hereby required to file with the Clerk of said court and to serve a copy on the Plaintiff's Attorney, or on Plaintiff if no Attorney, to-wit:

Name: Paul I. Hotchkiss, Esq., Hotchkiss Law Firm, LLCAddress: 185 E. Lake Ter, SECity, State, Zip Code: Atlanta, GA 30317 Phone No.: (706) 424-1013

An answer to this complaint, which is herewith served upon you, must be filed within thirty (30) days after service, not counting the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint, plus cost of this action. **DEFENSES MAY BE MADE & JURY TRIAL DEMANDED**, via electronic filing or, if desired, at the e-filing public access terminal in the Self-Help Center at 185 Central Ave., S.W., Ground Floor, Room TG300, Atlanta, GA 30303.

Donald Talley, Chief Clerk (electronic signature)

**SERVICE INFORMATION:**Served, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.  
\_\_\_\_\_  
DEPUTY MARSHAL, STATE COURT OF FULTON COUNTY

WRITE VERDICT HERE:

We, the jury, find for \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. Foreperson \_\_\_\_\_

(STAPLE TO FRONT OF COMPLAINT)

**AFFIDAVIT OF SERVICE****State of Georgia****County of Fulton****State Court**

Case Number: 23EV004834

**Plaintiff: Andre R. Johnson**

vs.

**Defendant: The Kroger Co.**

For:

Paul Hotchkiss  
 HOTCHKISS LAW FIRM LLC  
 185 E. Lake Ter. SE  
 Atlanta, GA 30317

Received by Ancillary Legal Corporation on the 10th day of August, 2023 at 1:20 pm to be served on **The Kroger Co. c/o CSC of Cobb County, Inc. - Reg Agent, 192 Anderson St SE, Suite 125, Marietta, GA 30060.**

I, Jerald Luster, being duly sworn, depose and say that on the **11th day of August, 2023** at **10:38 am**, I:

**served The Kroger Co. c/o CSC of Cobb County, Inc. - Reg Agent by delivering a true copy of the Summons, Complaint, Exhibit 1 & A, Plaintiff's First Sets of Continuing Interrogatories and Requests for the Production of Documents to Defendant, General Civil and Domestic Relations Case Filing Information Form to: CSC of Cobb County, Inc as Registered Agent, BY LEAVING THE SAME WITH Terri Thompson as Authorized to Accept at the address of: 192 Anderson St SE, Suite 125, Marietta, GA 30060.**

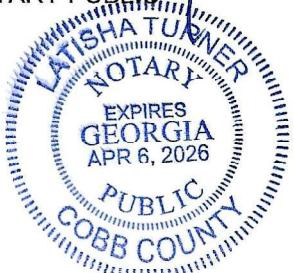
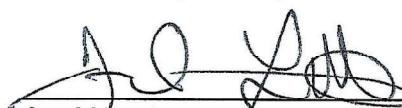
**Additional Information pertaining to this Service:**

8/11/2023 10:38 am Perfected corporate service at 192 Anderson St SE Suite 125 Marietta, GA 30060. Serve was executed in the lobby of the law firm to Terri Thompson the receptionist. She stated her name and accepted serve direct delivery. Female, white, 45-55, 5'4, 170 lbs, dark brown hair and glasses.

I am an agent of Ancillary Legal Corporation and am competent in all respects to testify regarding the matters set forth herein. I have personal knowledge of the facts stated herein and know them to be true. I have no interest in the outcome of this action and am not related to any of the parties. I am 18 or more years of age and am authorized to serve process.

Subscribed and Sworn to before me on the 14  
 day of Aug, 2023 by the affiant  
 who is personally known to me.

NOTARY PUBLIC


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Jerald Luster  
 Process Server

Ancillary Legal Corporation  
 2900 Chamblee Tucker Road  
 Building 13  
 Atlanta, GA 30341  
 (404) 459-8006

Our Job Serial Number: ANC-2023008838  
 Ref: Johnson